

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

KYLE P. TATE,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:08CV0057-P-A

**LYNN T. CARVEL, M.D.;
DESOTOE DIAGNOSTIC IMAGING, LLC
d/b/a CARVEL IMAGING;
METHODIST LE BONHEUR HEALTHCARE;
and MEMPHIS RADIOLOGICAL PROFESSIONAL
CORPORATION,**

DEFENDANTS

CONSOLIDATED WITH

LYNN T. CARVEL, M.D.,

PLAINTIFF

VS.

CIVIL ACTION NO. 2:08CV250-P-A

KYLE P. TATE,

DEFENDANT.

ORDER

This matter comes before the court upon the parties' Joint Motion for Stay of Case Management Conference Pending Resolution of Motion to Compel Arbitration [11] pending in Carvel v. Tate, Civil Action No. 2:08CV250-P-A now consolidated with Tate v. Carvel, *et al.*, 2:08CV057-P-A. After due consideration of the motion, the court finds that it should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) The parties' Joint Motion for Stay of Case Management Conference Pending Resolution of Motion to Compel Arbitration [11] is **GRANTED**; therefore,

(2) The Case Management Conference currently scheduled to be held on March 17, 2009, is stayed pending resolution of the motion to compel arbitration;

(3) This stay shall also operate to suspend the parties' obligations to submit a Proposed Case

Management Order and Confidential Settlement Memorandum, and to make disclosures under Fed.R.Civ.P. 26(a); and

(4) In the event the motion to compel arbitration is denied, the parties are to contact the U.S. Magistrate Judge to reschedule to Case Management Conference within 10 business days of the Order.

SO ORDERED this the 4th day of March, A.D., 2009.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE